

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	<b>Application Number</b>	09/316,651	
	<b>Filing Date</b>	May 21, 1999	
	<b>First Named Inventor</b>	Dr. Norm Faiola, Ph.D.	
	<b>Group Art Unit</b>	2863	
	<b>Examiner Name</b>	Michael P. Nghiem	
<b>Total Number of Pages in This Submission</b>	43	<b>Attorney Docket Number</b>	270-109

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form  <input checked="" type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment / Reply  <input checked="" type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Technology Center (TC)  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input type="checkbox"/> Other Enclosure(s) (please identify below):  One check for \$385 RCE Fee, PTO/SB/30 Request for Continued Examination Transmittal (1 Pg.), Response to Record Substance of Interview (2 Pgs.), and Return Mail Room Postcard.
<b>Remarks</b>		<b>The Commissioner is authorized to charge any additional fees to Deposit Account No. 50-0289.</b>
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Wall Marjama & Bilinski LLP George S. Blasiak Reg. No. 37,283
Signature	<i>George S. Blasiak</i>
Date	June 16, 2004

CERTIFICATE OF MAILING		
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Typed or printed name	Barbara A. Saltsman	
Signature	<i>Barbara A. Saltsman</i>	Date June 16, 2004

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*Barbara A. Saltsman*  
Barbara A. Saltsman

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 09/316,651 Confirmation No.: 8093  
Applicant: Dr. Norm Faiola, Ph.D., et al.  
Filed: May 21, 1999  
Art Unit: 2863  
Examiner: Michael P. Nghiem  
Docket No.: 270-109  
Customer No.: 20874

Mail Stop: RCE  
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Alexandria, VA 22313-1450

**RESPONSE TO RECORD SUBSTANCE OF INTERVIEWS OF  
FEBRUARY 9, 2004 AND JUNE 16, 2004**

Sir:

In a telephone interview of February 9, 2004, Examiner Nghiem and applicants' representative George S. Blasiak discussed the status of the application. Applicants' representative had contacted the Examiner to determine the schedule for examination. The Examiner indicated that he was prepared to enter an Examiner's Amendment to bring the application in condition for allowance if the applicant was willing to accept an amendment, which would place the claims in a condition *exactly* in the form indicated to be allowable by the Examiner in the Examiner's last Office Action dated December 15, 2003.

Applicants' representative declined to accept the offer of the Examiner and indicated

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U. S. Patent Application No. 09/316,651  
Response to Record Substance of Interview of February 9, 2003

that the applicants would be willing to wait for an examination.

Accordingly, the Examiner indicated that because the next Office Action would require substantive examination, it would be placed in line for examination behind nine other applications. The Examiner stated he believed a next Office Action would arrive within two months from February 9, 2004. Applicants again noted the extremely long pendency of the application (approaching five years), and the previous attempts to secure an allowance of the application, which were met with withdrawals of allowability.

It is unclear whether the interview of February 9, 2003 was procedural or substantive. If substantive, the present correspondence will serve as a recording of the substance of the interview.

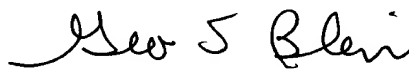
In a telephone interview of June 16, 2004 between Applicants' representative Owen Marjama and Examiner Nghiem, the Applicants' representative discussed the nature of the response filed concurrently herewith and further discussed a prospective schedule for examination. Applicants thank the Examiner for his indication that he would attempt to consider the concurrently filed response promptly on receipt. It is unclear whether the interview of June 16, 2004 was procedural or substantive. If substantive, the present correspondence will serve as a recording of the substance of the interview.

Respectfully submitted,

WALL MARJAMA & BILINSKI LLP

Date: June 16, 2004

Customer No. 20874  
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